

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of : )  
Joseph C. Walsh )  
Serial No.: Unknown ) Group Art Unit: 3721  
(probable)  
Filed: Herewith ) Examiner: Sameh H. Tawfik  
(probable)  
For: CARTON BLANK AND CARTON ) Atty Dkt. PP 5.71(c)  
FORMED THEREFROM )

PRELIMINARY AMENDMENT

To: Assistant Commissioner for Patents  
Washington, D.C. 20231

Please amend the application as follows:

IN THE CLAIMS

Please add the following new claims 20-35:

20. (New) Process for making a dispensing assembly comprising:

(a) providing carton means having a dispensing opening in a side wall thereof, pour spout means mounted in said dispensing opening and including a front panel and separate liner means in said carton;

(b) bonding said liner means to said front panel whereby upon initial opening of the pour spout means, that portion of the liner bonded to said front panel separates from said liner means providing access to the interior thereof.

21. (New) The process of claim 20 wherein:  
said pour spout means front panel further comprises  
a lamination of a paperboard material and a plastic  
material.

22. (New) The process of claim 21 wherein said  
plastic material comprises a polyester material.

23. (New) The process of claim 21 and further  
comprising a coating layer on said plastic material.

24. (New) The process of claim 23 wherein said  
coating layer comprises polyethylene.

25. (New) The process of claim 23 wherein said  
bonding said liner means to said front panel comprises  
bonding said liner means to said coating layer.

26. (New) The process of claim 23 and further  
comprising forming at least one cut line in said coating  
layer.

27. (new) The process of claim 20 wherein said pour  
spout means further comprises:  
a first wing portion; and  
a second wing portion.

28. (new) The process of claim 27 wherein said first  
wing portion is attached to said front panel at a first  
fold line and said second wing portion is attached to  
said front panel at a second fold line.

29. (New) Process for providing a dispensing spout  
for a filled carton which carton comprises a plurality of

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sidewall panels and top and bottom panels with a first sidewall panel having a pair of spaced apart fold lines joining the first sidewall panel to a second sidewall panel and a third sidewall panel and wherein the carton has an outer layer formed from a relatively rigid material and a partially weakened portion formed in the first sidewall panel so that said partially weakened portion may be broken away from the first sidewall panel and be pivotally mounted thereon comprising:

providing a pour spout having a central body portion, a first wing portion extending from one side of said central body portion and a second wing portion extending from the other side of said central body portion;

securing said central body portion of said pour spout to said partially weakened portion with said first wing portion superposed over but not secured to at least a portion of said second sidewall panel and said second wing portion superposed over but not secured to at least a portion of said third sidewall panel;

providing an inner layer for said carton comprising a sheet of a relatively flexible fluid impervious material having at least a portion thereof superposed over at least a portion of said outer layer and said pour spout so that said pour spout is located between said outer and inner layers; and

securing at least portions of said inner layer to at least portions of said central body portion of said pour spout so that said at least portions of said inner layer move with said central body portion of said pour spout and said partially weakened portion to form an opening for said carton.

30. (New) The process of claim 29 wherein:

said pour spout central body portion further comprises a lamination of a paperboard material and a plastic material.

31. (New) The process of claim 30 wherein said plastic material comprises a polyester material.

32. (New) The process of claim 30 and further comprising a coating layer on said plastic material.

33. (New) The process of claim 32 wherein said coating layer comprises polyethylene.

34. (New) The process of claim 32 wherein said securing at least portions of said inner layer to at least portions of said central body portion comprises bonding said at least portions of said inner layer to said coating layer.

35. (New) The process of claim 32 and further comprising forming at least one cut line in said coating layer.

Please cancel claims 1-19 without prejudice or disclaimer.

REMARKS

Claims 1-19 were originally filed with the application. New claims 20-35 have been added herein; claims 1-19 have been canceled. Accordingly, after entry of this amendment, claims 20-35 will be pending in the application.

Applicant hereby provides notice, pursuant to 37 C.F.R. 1.607(c) (to the extent such notice may be required), that claim 20 presented in this Preliminary Amendment is identical to claim 11 in United States Patent No. 6,145,736, which is of record in the prosecution history of the parent application (i.e., U.S. Patent Application Serial No. 09/220,065). Claim 20 presented herein is identical to claim 28 currently pending in the parent application. Claim 29 presented herein is identical to claim 22 pending in the parent application.

New claims 21-24 and 30-33 are fully supported with reference, for example, to applicant's written specification at page 15, lines 25-31. New claims 25 and 34 are fully supported with reference, for example, to applicant's written specification at page 16, lines 15-17. New claims 26 and 35 are fully supported with reference, for example, to applicant's drawing Fig. 15. New claims 27 and 28 are fully supported with reference, for example, to applicant's written specification at page 15, lines 17-22. No new matter has been added.

Respectfully submitted,  
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By 

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Date: 12-20-01

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